

Attorney's Docket No.: 7241

**DECLARATION AND POWER OF ATTORNEY - ORIGINAL APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below beneath my name:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which Letters Patent is sought on the invention entitled

**METHOD AND APPARATUS FOR FORMING NEW AND RETROFIT  
DETECTABLE WARNING SURFACES**

the specification of which \_\_\_\_\_ is attached hereto  
(check one) ☒ was filed on July 24, 2003  
as Application S.N. 10/625,852  
and was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by an amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International Application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or invention certificate, or a PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)                      Priority Claimed

(Number)	(Country)	(Day/Month/Year Filed)	YES	NO
(Number)	(Country)	(Day/Month/Year Filed)	YES	NO

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

<u>60/400,058</u>	<u>August 2, 2002</u>
(Application Ser. No.)	(Filing Date)
<u>60/421,562</u>	<u>October 28, 2002</u>
(Application Ser. No.)	(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Ser. No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

B. Edward Shlesinger, Jr., Reg. No. 17,225; Josefino P. de Leon, Reg. No. 33,166; Terrence L. B. Brown, Reg. No. 32,685; Michael M. Zadrozny, Reg. No. 30,985; and Brian J. Marton, Reg. Agent 30,292;

SEND CORRESPONDENCE TO: SHLESINGER, ARKWRIGHT & GARVEY LLP  
3000 South Eads Street  
Arlington, Virginia 22202

DIRECT TELEPHONE CALLS TO Terrence L.B. Brown (703) 684-5600

The undersigned hereby authorizes the U.S. attorney(s) or agent(s) named herein to accept and follow instructions from \_\_\_\_\_ as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney(s) or agent(s) and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney(s) or agent(s) named herein will be so notified by the undersigned.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or first inventor Paul Michael Fennessy, Sr.

Inventor's signature  Date 10/8/03

Residence 17 Blackwood Drive, Liverpool, New York 13090

Citizenship United States of America

Post Office Address 325 Commerce Blvd, Liverpool New York 13088

Full name of second or joint inventor \_\_\_\_\_

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Attorney's Docket No. 7241

Applicant or Patentee: Paul Michael Fennessy, Sr.

Serial or Patent No.: Serial No. 10/625,852

Filed or Issued: July 24, 2003

For: METHOD AND APPARATUS FOR FORMING NEW AND RETROFIT  
DETECTABLE WARNING SURFACES

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27 (c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ( ) the owner of the small business concern indicated below:  
( X ) an official of the small business concern empowered to  
act on behalf of the concern identified below:

NAME OF CONCERN Global Trade Enterprises, Inc.

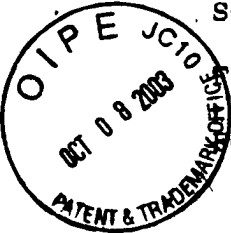
ADDRESS OF CONCERN 37 Ingelside Lane, Liverpool, New York 13090

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled

METHOD AND APPARATUS FOR FORMING NEW AND RETROFIT  
WARNING SURFACES

by inventor(s) Paul Michael Fennessy, Sr.  
described in



- (X) the specification filed herewith  
( ) application Serial No. \_\_\_\_\_, filed \_\_\_\_\_  
( ) patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name \_\_\_\_\_

Address \_\_\_\_\_

( ) individual ( ) small business concern ( ) nonprofit organization

Name \_\_\_\_\_

Address \_\_\_\_\_

( ) individual ( ) small business concern ( ) nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

TITLE OF PERSON OTHER THAN OWNER

ADDRESS OF PERSON SIGNING

SIGNATURE

DATE